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TO RUEHC/SECSTATE WASHDC PRIORITY 3182
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RUEHUL/AMEMBASSY SEOUL 3873
RUEHKO/AMEMBASSY TOKYO 3513

C O N F I D E N T I A L ULAANBAATAR 000374

SIPDIS

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TAGS: PGOV PREF PREL MG

SUBJECT: GOM: INNER MONGOLIAN "VOLUNTARILY" RETURNED TO CHINA

Classified By: Political Officer Dan Rakove for reasons 1.4 (b), (d)

GOM: Inner Mongolian "Voluntarily" Returned to China

¶1. (C) SUMMARY: In a meeting with PolOff, Chief of Mongolia's Immigration Agency Murun defended his government's conduct against allegations they had deported an Inner Mongolian with an appeal pending before the UNHCR. Murun explained that the Chinese citizen, Batuzhangga, and his family returned home under their own will on October 10, and that his government's actions were legitimate given Batuzhangga's illegal status in Mongolia. Murun stated that Batuzhangga chose to buy his family's return tickets. Though Batuzhangga had only shortly before filed an appeal before the UNHCR regarding its October 2 rejection of his application for refugee status, he and his family left Mongolia before the UNHCR addressed the petition.

This occurred after he was questioned by the Mongolian Immigration Agency at the request of two Chinese immigration officials who traveled to Mongolia on this case. Though invited to attend, the UNHCR declined to send a representative. END SUMMARY

¶2. (C) Murun stated that Inner Mongolian resident Batuzhangga entered Mongolia on May 26 with his wife and child and failed to register with the authorities as required of all foreign entrants staying more than thirty days. Though Batuzhangga filed a petition for refugee status with the UNHCR, Murun reported that the UN office too failed to notify his Agency of the would-be refugee's presence. Upon word from Chinese immigration officials regarding Batuzhangga and allegations of embezzlement, Mongolian officials located the man and his family. They served notice to the UNHCR that Batuzhangga was wanted by Chinese authorities. Meanwhile on October 2 the UNHCR rejected the man's claim for asylum, at the first stage of the refugee status determination process.

¶3. (C) Murun stated that his Agency then hosted a meeting with Batuzhangga at the request of two Chinese immigration officials who came to Ulaanbaatar. Though he invited UNHCR officials to attend they declined to do so. Murun stated that the meeting was conducted in Mongolian and focused on Batuzhangga's alleged criminal conduct in China. Murun declined to share the transcript of the meeting.

¶4. (C) The Chinese officials asked questions through interpreters regarding Batuzhangga's activities. Murun denied that the Chinese intimidated Batuzhangga, and characterized his Agency's role as encouraging the man to return with his family to China so as to clear his name. When asked about the Chinese role, he stated firmly that that his government had not kowtowed to the Chinese on the matter, stating firmly that they acted fairly and autonomously. Nonetheless Murun offered his sense that Batuzhangga was indeed implicated in the alleged wrongdoings.

¶5. (C) Murun stated that Batuzhangga and his family then flew home to China on tickets they purchased themselves. When asked if Batuzhangga and his family had any alternative, Murun acknowledged that they would have been deported in any

case. He reasoned that the UNHCR had failed to issue him a temporary permit and their presence in Mongolia was illegal.

The UNHCR Senior Regional Protection Officer Nai Jit Lam had however e-mailed Murun on October 2, requesting that "should Mr. Batuzhangga choose to appeal the decision, you will continue to extend your cooperation for UNHCR to review the case to enable us to make a final decision."

¶6. (C) COMMENT: Murun's Immigration Agency appears to have approached this issue as both one of law and order as well as a bilateral issue with their southern neighbor. Murun believes that criminals under apprehension in China are increasingly seeking asylum in his country, and referenced Nai Jit Lam's words to that effect. He reaffirmed his Agency's sincerity in dealing with refugees, mentioning ten currently in country from such places as Inner Mongolia, North Korea, and Tibet. Batuzhangga's case was rather peculiar, and the Immigration Agency appears to have been reacting to apparent failures of the applicant and the UNHCR to follow registration procedures.

¶7. (C) More broadly, the Agency has taken a much firmer stance on deportation since Murun took office two years prior. In 2009 they deported over 2,500 foreigners, of which more than 80 percent were Chinese. Mongolian firms, particularly in construction, often turn a blind eye toward their Chinese workers' visa status. Murun's predecessor was soft on deportations, and was reportedly suspected by some of being bribed by Mongolian firms to allow the foreign workers' continued presence. In contrast, former prosecutor, police chief, and U.S. FBI academy attendee Murun has sent signals that he takes a firmer line on immigration violations since entering the job in 2007. END COMMENT.

ADDLETON